Hovsepian v. Apple, Inc.

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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re ACACIA MEDIA TECHNOLOGIES CORPORATION	Case No. 05 CV 01114 JW MDL No. 1665 **JOINT CHART OF THE PARTIES' PROPOSED DEFINITIONS FOR CLAIM TERMS FROM THE '863 AND '720 PATENTS AND FROM THE '992 PATENT THAT THE COURT HAS ALREADY CONSTRUED** **DATE:** September 7-8, 2006 **TIME:** 9:00 A.M. **CTRM:** Hon. James Ware

The parties to this action hereby submit the attached chart showing each party's currently proposed constructions for the claim terms of the '863 and '720 patents and the claim terms from the '992 patent that the Court has already construed to be addressed in the parties' legal briefs and at the September 7-8, 2006 Markman hearing.

HENNIGAN, BENNETT & DORMAN LLP
LAWYERS
LOS ANGELES, CALIFORNIA

Patent Claim Term	Acacia's Proposed Definitions	Round 2 Defendants	Round 3 Defendants
audio/video information, at a local distribution system, remote from the central processing location" '863 patent – 14, 17 '720 patent – 8, 11	receiving the reproduction of at least one entire item of audio/video information in a compressed, digitized data form at a local distribution system. The local distribution system is an assembly of elements, hardware and software, that function together to receive transmitted data, store the data, decompress the data, and transmit the data to at least one subscriber receiving station.	An assembly of elements, hardware and software, at a local geographic region (such as a town or city), functioning together to receive, store, decompress, and transmit audio and video information to subscriber receiving stations[5] confined to that same local geographic region. Round 1 & 2 Cable Defendants: Indefinite	subscriber receiving station."
6. "storing the received compressed digitized data representing the complete copy of the at least one item at the local distribution system" '863 patent – 14, 17 '720 patent – 8, 11	The phrase "storing the received compressed digitized data representing the complete copy of the at least one item at the local distribution system" means "storing a copy such that all of the received data is in storage at the same time."	The phrase "storing . . . the complete copy of the at least one item" means "storing a copy such that all of the received data is in storage at the same time."	All of the received compressed, sequenced addressable data blocks representing the complete copy of the at least one item is in the same storage device in the local distribution system at the same time. [See construction 29 of "sequence of addressable data blocks" below.]
7. "in response to the stored compressed, digitized data, transmitting a representation of the at least one item at a real-time rate. . ." '863 patent – 14	The phrase "transmitting a representation of the at least one item" means the act of transmitting a reproduction of the item. In the context of claim 14 of the '863 patent, the "representation of the at least one item" means that the reproduction of the item is in a decompressed format. The phrase "in response to the stored compressed, digitized data" means that the	The phrase "in response to the stored compressed, digitized data" means that information in the stored, compressed digitized data triggers the transmission. **Representation:** Indefinite. (The Round 2 Defendants contend that "representation" is indefinite in each claim in which it is used: Claims 14 and 17 of	Information in the "stored compressed, digitized data" triggers the local distribution system to send "a representation of the at least one item at a real-time rate to at least one of a plurality of subscriber receiving stations."

[5] Defendants contend that the phrase "subscriber receiving stations" is otherwise indefinite.